

of Claims 1, 8, 11 or 16. Indeed, to the extent that elements of the medicament pack appear in the bodies of these claims, they are present only to define the environment or structure of the inhalation device, or to locate its elements appropriately. For example, in Claim 1, the means for peeling apart is defined as "positioned to engage peelable sheets of a container which has been received in said opening station." Clearly, neither the peelable sheets nor the container are intended to be part of the applicants' claimed invention. Rather, both define the positioning of the means for peeling apart. This is now true of all elements of the medicament pack, as explained further below. Accordingly, all rejections under 35 U.S.C. §112 should now be withdrawn.

In some instances, components of the medicament pack do appear in the body of the claim with the article "the" before them. However, in all instances, it is believed that this does not lead to indefiniteness and does not result in a lack of antecedent basis. For example, in Claim 1, Line 3, "the peelable sheet" is preceded immediately above by "peelable sheets of a container which has been received in said opening station." Accordingly, there is not only a proper initial inferential recitation of each element, but there is also no lack of antecedent basis. The same may be said for "the container" appearing in the fourth line of the same subparagraph.

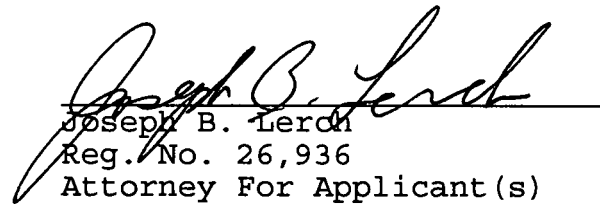
Similarly, both "the open container" at the third line of the third subparagraph relates to "an open container" defined immediately above. The same may be said of "the base and lid sheet" and "the container" appearing in the second subparagraph of Claims 8, 11, and 16. It is believed that there are no other instances in which the article "the" is used with respect to a component of the medicament pack. Accordingly, the claims are now believed to be allowable in their present form and the rejections under 35 U.S.C. §112 should be withdrawn.

On April 10, 1995, the undersigned held an telephone interview with Examiner Lewis, at which time the rejections under 35 U.S.C. §112 were discussed. At that time, Examiner Lewis indicated that the rejections under 35 U.S.C. §112 would be overcome if components of the medicament pack were not referred to by a definite article, such as "the." As indicated above, this has been avoided in most instances, and in those instances where the use of the article "the" still occurs, there is antecedent basis for it, and it is absolutely clear that the component of the medicament pack is not intended to be part of the claimed invention. Accordingly, it is believed that the rejections under 35 U.S.C. §112 have been overcome, and they should be withdrawn, as agreed.

Applicant's attorney has made every effort to place this patent application in condition for allowance. It is

therefore earnestly requested that the application, as a whole, receive favorable reconsideration and that all the claims be allowed as presently constituted. Should there remain any unanswered questions, the Examiner is requested to call the applicant's undersigned attorney at the telephone number given below.

Respectfully submitted,

  
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